DOCUMENT RESUME

ED 378 124 SO 024 668

TITLE	Statement of Facts for 1988 City-Wide Mock Trial Competitions. United States v. Martha Monroe. MT-88.
INSTITUTION	Georgetown Univ., Washington, DC. Law Center.; National Inst. for Citizen Education in the Law, Washington, DC.
PUB DATE	88
NOTE	22p.; For related items, see SO 024 656-674. Some pages may not reproduce clearly.
AVAILABLE FROM	Social Studies School Service, Dept. A3, P.O. Box 802, Culver City, CA 90232-0802.
PUB TYPE	Guides - Classroom Use - Instructional Materials (For Learner) (051) -- Guides - Classroom Use - Teaching Guides (For Teacher) (052)
EDRS PRICE	MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS	Battered Women; *Citizenship Education; Court Litigation; *Criminal Law; Homicide; Instructional Materials; *Law Related Education; Secondary Education; Social Studies
IDENTIFIERS	*Mock Trials; *Street Law

ABSTRACT

Prepared by the District of Columbia Street Law Project for its 17th annual city-wide mock trial competition, this instructional handout provides the material for a mock criminal trial. The federal government charges Martha Monroe with first degree murder for shooting her husband, George Monroe, while he slept. Martha Monroe asserts that she acted in self-defense because her husband had subjected her to severe and continual physical abuse that she feared would lead to her death. The handout clarifies the laws and explains the legal precedents. As evidence, the handout provides a police report; the defendant's medical report; and witness statements from the defendant, a detective, the former director of a woman's shelter, the defendant's brother, the director of the Emergency Medical Services at Washington Hospital Center, and an expert on the battered woman syndrome. Through participation in mock trials and analysis of the activity, students gain an insider's perspective on courtroom procedure and a basic understanding of the legal mechanism through which society resolves its disputes. Mock trials develop critical analysis, questioning and listening skills, and skills in preparing and organizing materials. (JD)

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1988 STREET LAW MOCK TRIAL MATERIALS

Statement of Facts for 1988 City-Wide Mock Trial Competitions

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SO 024 668

Materials prepared and presented by the staff of the D.C. Street Law Project for the Seventeenth Annual Citywide Mock Trial Program sponsored by the Public Schools of the District of Columbia and the D.C. Street Law Project

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IN THE SUPERIOR COURT
OF THE DISTRICT OF COLUMBIA

United States	:	
-v-	:	MT-88
Martha Monroe	:	

Stipulated Facts

On June 17, 1987, at 10:32 p.m., a call was received at the 911 service of the Metropolitan Police Department in Washington, D.C. The female caller said, "I just shot my husband," and gave the address as 1799 Lamont Street, N.W. Detective Sal Palmer responded to the call and reached the house at 10:38 p.m.

Detective Palmer met Martha Monroe at the door. Mrs. Monroe led the Detective to a bedroom upstairs. When Detective Palmer entered the bedroom, he saw a fully clothed man, later identified as George Monroe, Martha Monroe's husband, lying face down on the bed covered with a light blanket. The blanket had three bullet holes in it, and several blood stains.

Detective Palmer ascertained that the man on the bed was dead, and asked Mrs. Monroe who he was and what had happened. She responded, "I shot my husband," and pointed to the dresser near the bed on which was a revolver. Detective Palmer read Mrs. Monroe her Miranda rights, and placed her under arrest.

Later, at the station, Mrs. Monroe waived her right to counsel and to remain silent. Detective Palmer questioned her, after which he wrote up a statement. Mrs. Monroe signed it. The prosecution charges Mrs. Monroe with the First Degree Murder of her husband, George Monroe [D.C. Code, Sec. 22-2401].

Martha Monroe admits that she shot her husband, but now, through her attorney, asserts that she acted in self defense. Mrs. Monroe now claims that for the entire time of her marriage to George Monroe she has been the victim of severe and continual physical and emotional abuse from him; she says the last time he beat her he almost killed her. She claims that because of this abuse she is suffering from Battered Woman Syndrome, and that she shot her husband because she had a reasonable belief that even though her husband was asleep, her life was in imminent danger. She claims she had no choice but to kill him.

Battered Woman Syndrome is a condition that has been recognized fairly recently in the law as a way to help prove that a defendant acted in self defense. The syndrome occurs in women who have been

subjected to lengthy periods of abuse from their husbands or boyfriends. The abuse is often life-threatening, and usually increases in severity and frequency. A woman in such a situation tries to figure out what the cause of the abuse is (is it something she has done?) and what she can do to prevent it. Over a period of time, she realizes that the battering is unpredictable, and can be triggered by anything or nothing. There is no way she can tell when the next battering will occur, or how to prevent it, although she may try everything she can think of. This unpredictability of the situation leads to the development of a condition of "learned helplessness", in which the victim, after repeated attempts to stop the abuse, actually "learns" that there is nothing she can do - and no way she can escape.

"Learned helplessness" causes women suffering from Battered Woman Syndrome to feel that they are totally unable to control their situation, change it or escape from it. They believe that they cannot escape, that the batterer will find them wherever they go and that they will be tortured even more. Moreover, such women are usually financially dependent on the men who abuse them, and are unable to leave or support themselves and their children if they do leave. The situation is worsened by the fact that the batterers force the women to isolate themselves from their family and friends, prohibiting visits, and even go so far as to put a lock on the phone, or remove it completely. Regardless, women suffering from Battered Woman Syndrome cling to the hope that the abuse will stop, and believe their husbands when they say they will change and not hit them again.

Battered Woman Syndrome may be proved by the presence of severe and frequent physical and emotional abuse, leading to a condition of learned helplessness, which includes financial dependence on the batterer, forced isolation from family and friends, and extreme fear of retaliation if escape is attempted.

The prosecution claims that Mrs. Monroe is not suffering from battered woman syndrome. Although it does not dispute the fact that Mrs. Monroe was abused by her deceased husband, it contends that Mrs. Monroe was capable of leaving, or at least of reporting the abuse to the police or other agencies. It cites as support for its position the fact that she left her husband once, and returned of her own free will. It argues that the night before her husband died, Martha Monroe, in preparation for killing her husband, took his loaded gun and hid it in the kitchen. It argues further that on the night of the killing Mrs. Monroe had ample opportunity to leave the house before her husband woke up, and that she deliberately did not leave so that she could kill him while he was asleep.

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Battered Woman Syndrome is a condition that has been recognized fairly recently in the law as a way to help prove that a defendant acted in self defense. The syndrome occurs in women who have been

A trial date has been set and the following witnesses will be called:

For the United States

Detective Sal Palmer, Metropolitan Police Department
Terry Stein, Former Director, Washington Women's Shelter
Alex Chávez, Martha Monroe's [brother][sister]

For Defendant, Martha Monroe

Martha Monroe
Fran Nilva, physician, Washington Hospital Center
Dr. Pat Bergen, expert on Battered Woman Syndrome

The parties stipulate that Pat Bergen is an expert on battered woman syndrome.

Applicable Law

In the District of Columbia, D.C. Code, Sec. 22-2401 defines Murder in the first degree as follows:

> Whoever, being of sound memory and discretion, kills another purposely, either of deliberate and premeditated malice or by means of poison...is guilty of murder in the first degree.

D.C. Code, Sec. 22-2403 defines Murder in the second degree as follows:

> Whoever with malice aforethought, except as provided in Sec. 22-2401, kills another, is guilty of murder in the second degree.

In the District of Columbia, second degree murder is a lesser included offense of first degree murder, and under an indictment charging first degree murder, the defendant may be found guilty of the necessarily included offense of second degree murder.

Applicable Cases

"An intentional murder is in the first degree if it is committed with premeditation in cold blood. It is murder in the second degree if it is committed on impulse or in the sudden heat of passion. Premeditation may be proved by demonstrating that the accused acted with consideration and reflection upon the preconceived design to kill; turning it over in the mind, giving it a second thought." Austin v. United States, (D.C. Cir.)

"Manslaughter is the unlawful killing of a human being without malice. Malice is defined as a condition of the mind that prompts a person to do a wrongful act without regard for the life and safety of others." United States v. Morris (D.C. Cir., 1986)

"Legal provocation can reduce the offense of murder to manslaughter. What constitutes legal provocation is generally left up to the trier of fact (judge or jury) to determine, but it may be defined as a situation that might induce a reasonable person in the heat of passion to lose some self-control and commit the act on impulse and without reflection." Hurt v. United States (D.C. App. 1984)

Self Defense

In the District of Columbia, the standard for self-defense is that the accused, given his or her situation, had a reasonable belief that his or her life was in imminent danger. The trier of fact (judge or jury) must put itself in the shoes of the defendant, and determine what was reasonable for the person who committed the act to believe at the time the act was committed.

"A belief or response which may be unnecessary in retrospect may nonetheless have been reasonable in the heat of the moment, and a person in no real danger at all may nevertheless reasonably believe otherwise, and may then lawfully act in self-defense". Thomas v. United States (D.C. App. 1984)

"In homicide cases where the defendant claims self defense, expert testimony regarding Battered Woman Syndrome is admissible in order to establish:

1. that the syndrome exists, and what its definition and characteristics are;

2. that the defendant was suffering from the syndrome; and

3. that a person suffering from battered woman syndrome may reasonably have perceptions, fears and beliefs that would not be reasonable in others.

The expert may not testify as to whether the defendant actually acted out of a reasonable belief of danger, which is the ultimate issue to be decided only by the trier of fact (judge or jury)." United States v. O'Brien (D.C. App. 1986)

Witness Statement of Sal Palmer, Detective, Metropolitan Police Department

I am a Detective with the Metropolitan Police Department of Washington, D.C. I have been a police officer for 17 years and a detective for the past six years.

On June 17, 1986, I received a call on my car radio that someone had been shot at 1799 Lamont Street, N.W. The call came in at 10:33 p.m. I radioed back that I was in the area and could respond, and asked for backup.

I arrived at 1799 Lamont Street, N.W. at 10:38 p.m. A crowd had gathered in front of the house, and as I approached the front door, an unidentified woman said to me that people in the neighborhood were always calling the police about fights between Mr. and Mrs. Monroe, and that "this time George finally went and done it". I knocked on the door and it was opened by the defendant, Martha Monroe. I identified myself as a police detective and she led me upstairs to a bedroom. On the bed was an adult male lying face down, covered with a light blanket. The blanket had three holes in it and had some bloodstains on it.

I examined the man on the bed, and determined that he was dead. He had been shot. I asked her what happened and she said, "I shot my husband." She then pointed to a dresser standing across the room from the bed, on which I found a .32 calibre revolver which had recently been fired. I read Mrs. Monroe her Miranda rights and placed her under arrest.

As we were walking downstairs, two children came out of one of the other bedrooms. They were crying, and ran to Mrs. Monroe. I asked if they were her children, and if there was anyone who could take care of them. Mrs. Monroe appeared to be very disoriented and didn't answer. She was just sort of gazing off into the distance. I repeated the question, and she responded that now that it was all over, she wouldn't have to worry about them anymore. She was shaking and started crying.

At that point another person arrived at the house. She identified herself as Alex Chávez, Mrs. Monroe's (sister)(brother). She said that she was afraid something had happened, and that's why she came over. She agreed to take care of the children while Mrs. Monroe was unable to do so herself.

There were no signs in the house of there having been a struggle, although Mrs. Monroe appeared to have several bruises on her face. I asked her where they came from, and she said she had been in an accident. She refused my offer to secure medical attention for her, saying that she did not need to see a doctor.

Later, at the station, I had the opportunity to see the record of the call to 911 that came in. It turned out that it was Mrs. Monroe who made the call. I again advised Mrs. Monroe of the Miranda rights, and asked her if she would be willing to answer some questions. She

agreed. After questioning her, I wrote up a statement, which she signed.

Some weeks later, in doing some paperwork for the case, I came across police records indicating that there had been several complaints filed by neighbors of the Monroes' of fights and screams coming from the house. According to the police reports, officers responded each time, but no one at the house ever filed any charges.

I know that now she's claiming she killed him in self defense because of Battered Woman Syndrome. In my opinion, it's just a new excuse for committing murder. She never said anything about being beaten to me. I saw some bruises on her, but she said she was fine, and how am I supposed to tell one bruise from another? Anyway, there's not much the police or the courts can do in cases like that. It's only been recently that we have been instructed to make arrests in cases involving domestic violence.

Lyle Palmer

Witness Statement of Terry Stein, former Director, Washington Women's Shelter

I was the Director of the Washington Woman's Shelter from February 1985 until April 1986. Sometime in December 1985, right around Christmas, I was on duty on the hot line, and got a call from a woman who said that she had been beaten by her husband since they were married and that she was afraid that he was going to beat her again when he got home that night. She said she had nowhere to go.

We kept our address a secret so that the men who were battering the women in the shelter couldn't find them, so I gave her an address where she could meet me, and I went to pick her up. When I met her she told me her name was Cynthia. I now know that the woman who came to the shelter that evening was Martha Monroe. When I saw her she was covered with bruises, and had what looked like burn marks on her right arm.

We went back to the shelter and I let her get cleaned up and put her kids down to sleep. We spent most of the rest of the night talking. She said that her husband had been abusing her for years and that she couldn't take it anymore, especially since he had started threatening the kids. She said she was never going back. She seemed very like the other abused women I have worked with: terrified, lonely, insecure, with very low self esteem, but she was also angry enough to have left, and seemed determined not to go back.

We have a space problem at the shelter, and women can stay there on an emergency basis only for three days. We try to arrange other places for them to go. After Mrs. Monroe's three days were up, we set up a place for her at another shelter for women. I know it wasn't the most inviting place to spend the holidays, but it was clean and she would have been safe there until she could figure out what to do next. She was very reluctant to go, and asked if she could stay at our place a few more days.

She really didn't want to take her kids to the other shelter, and I knew she was anxious about what she would do next, and how she was going to live. It's true that she wouldn't be eligible for Aid to Families with Dependent Children, which would help pay rent, or even food stamps as long as she was legally married to her husband. I would have okayed her staying with us if we'd had the room, because I was afraid she might return home, but there were several women coming in that night - Christmas is a very bad time for abused women.

The morning Mrs. Monroe was supposed to leave our shelter, she was acting real funny. I suspected that she had spoken to her husband from the way her mood had changed - she seemed so happy all of a sudden. I finally got her to talk to me, and she said that she had talked with George, and that "everything was all right." She'd be going home for Christmas, that he had stopped drinking, and that she'd be fine. I tried to talk her out of it, but she insisted. Just then a commotion broke out in one of the other rooms that I had to take care of. When I returned, Mrs. Monroe was gone.

I always felt particularly bad about her leaving us and going back home. While she was here, I had the opportunity to give her some informal aptitude tests - she scored fairly high. I told her that I was sure that we could get her some training and a job if she would stick it out. I know it's tough and a lot of women in the same situation go back home, but in my opinion, she didn't seem so helpless - not as much as other women I've seen.

Terry Stein

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Witness Statement of Alex Chávez, Martha Monroe´s (sister)(brother):

I am Martha Monroe´s (sister)(brother). I am a teller at the Washington Savings Bank and earn $425 a week. I am divorced, and have no children. On June 17, 1987, about 10:15 p.m., Martha called me up. She sounded very upset and angry. I asked her what was wrong, and she told me that her husband George had come home drunk again and screaming about everything. I asked her where he was then, and she said that he had gone in to take a nap.

I was a little surprised to hear from her - she hadn´t called me in a long time, and the last few times I´d called her, she´d been very distant, and rushed me off the phone. And then she stopped calling me at all. She had even begun to make up excuses for us not to get together or see each other. That was almost a year ago. I thought it was strange, because we´d always been very close, but I just figured that she didn´t want to have anything to do with me or the rest of the family anymore, because she was acting the same way toward them. But she knew that she could always call me up if she needed anything.

I´d heard about George´s temper from Martha on and off for years. When they were first married, Martha used to complain that George hit her. It didn´t seem like such a big deal to me - I never saw him hit her, and I told her that a lot of husbands hit their wives now and then. I think that´s the way it is between men and women. It´s still the wife´s job to make a marriage work, and to listen to her husband. I always asked her if she had done anything to provoke George, but she always said that she hadn´t. Whenever I saw George he was as sweet as can be. I never saw him do anything to her, or even yell at her. I remember a couple of times I saw her with bruises - it was a while ago now. Once she said they were from beatings, but the other times she said she had fallen or something.

Anyway, on that night, June 17, she sounded pretty emotional, so I said why not come over here? I was ready to come in the car and get her, if that´s what she wanted. I was even willing to put up with those two kids of hers, and support her if I had to - after all, she is my sister. She said she couldn´t, that it would only make things worse and that it was too late. What could I do? I couldn´t force her to come - besides, if George was as crazy as she says, I didn´t want to get in his way.

So we talked for a little while longer, and then she said that she´d be all right and that she had to go. She said that George would wake up soon. Then she said, "I have to fix things now, while he´s asleep. This is my chance." I thought that was a pretty strange thing to say, but I figured she meant that she needed the time to straighten the house up before he woke up. Later, when I thought about it, it sounded peculiar, so I decided I better go over and see what was going on. As soon as I got to the house and saw the police cars out in front, I knew she had killed him. I guess she was in a bad situation, but she wasn´t helpless, and I don´t think she should have killed him.

Alex Chávez

Witness Statement of Martha Monroe, Defendant:

I married George Monroe five years ago when I was 18. We have two children, Jonathan, age four and Stephanie, age two.

George started to beat me almost as soon as we were married. The first time it happened, we were home alone. He came home drunk started complaining about the dinner I had cooked. When I said that it tasted all right to me, he slapped me across the mouth. That happened a couple of times. Once, after the baby was born, George got mad when he came home and Jonathan was crying. He got angry at all the noise, and told me it was my fault he couldn't find work, that I was supposed to keep things quiet and neat in the house and that's why he was always getting fired from jobs. He hit me in the head and I fell against the coffee table and chipped one of my front teeth.

Since then he beat me at least once a week, although sometimes more often than that. He always blamed me for what was wrong in his life. I could never predict when the next beating will occur, but it was much more likely to happen when he'd been drinking. Sometimes the beatings weren't so bad, just a slap or two, but sometimes they were terrible. And over the years, they got worse and worse. He would tie me up and punch me, or lock me in the closet and go out. I was always so terrified when he did that - what would happen if there were a fire? How would I get out, and what would happen to the kids? I begged him not to do that, but it only made him madder.

Every time he came home, I was afraid there would be a beating. I tried to keep everything in the house nice, and I always fed the kids and put them to bed before he got there, so that they wouldn't bother him, but he always found something to get mad about. He would fly into a rage and start beating me over nothing. Some of the beatings were so bad I had to go to the hospital - I bet I've been there 10 times at least. Once he beat me so bad my whole arm was purple - I used it to protect myself from him kicking me in the stomach. It took weeks to get better. Another time he beat me for four hours and dislocated three fingers on my left hand. I went to the hospital that time, but I told them that I had fallen down a flight of stairs.

After that things got better for awhile. But after a month or so, the beatings started again. He blamed me if Steph cried too much, or if the house was a mess, and beat me. The beatings got much worse, and once or twice, I really thought he was going to kill me or the children. I ran away to a women's shelter after he started threatening to hurt Jonathan. It was OK there, but I could only stay three days, and after that they wanted me to go to another shelter. I went around to look at it - it was awful. It was right around Christmas time, in 1985, I think, and I couldn't bear the thought of being in a place like that with my kids on Christmas. Anyway, what was I supposed to live on? I couldn't get food stamps or welfare, because I was still married to George and they would take his income into consideration. So I called George, and he was very sorry, and said that we should give it another chance. Sometimes he could be nice. I felt that maybe things would change, it being Christmas and all, and anyway, where else could

I go? I had no money, and no choice. The woman at the first shelter, Terry, gave me some tests and told me she would help me get a job, but who would hire me? So I went back home.

As soon as I got in the house, he started in on me. He threw me down on the floor and started kicking me in the head. The kids were screaming, and he picked them up and took them upstairs. I panicked, not knowing what he was going to do to them, so I ran upstairs after them. When I got upstairs, he turned to me and said that next time I wouldn't be the only one who got it.

From that time, I lived in a state of terror. I never knew when the next beating would take place. I was scared for me and the kids. Several times he caught me on the phone, and told me that I shouldn't make any plans to leave because he knew where I'd go, and he'd find me and the kids. It's true that Alex did say I could come and stay with (him)(her), but that would be the first place he'd look for me. Anyway, Alex can't support me, and what would I do then? I think George must have known that Alex offered me a place, because after that George told me that I couldn't have anything to do with my family anymore - I couldn't call them or see them. I know they thought I neglected them, but I was afraid. George even put a lock on the phone so I couldn't make any calls.

The last couple of beatings were real bad. On June 12, I went to the hospital, with bruises all over my body, and the doctor and Alex convinced me to speak to the police. I agreed, then changed my mind. I was scared what would happen if George found out. I thought he would kill me. The last time he beat me, about a week before he died, he almost did kill me. He was drunk and started punch me in the face and ribs. Then he began to choke me and I passed out. I don't know why he stopped, but when I came to, he was gone. I got myself to the hospital, and Dr. Nilva told me I was lucky to be alive.

The night before he died, we had a fight. He didn't hit me, and I didn't know why, but I was scared. He went into the garage and came back with his gun. He made a big deal about loading it in front of me, and then pointed it at me and said that he wasn't fooling around anymore, that next time he would take care of me for good. I was terrified. When he left, I went and got the gun and hid it in the kitchen.

On June 17th, George came home in a very bad mood. Jonathan was asleep, but Stephanie and I were up watching television. I had cleaned the whole house and made dinner, hoping that he wouldn't start in on me, but as soon as he saw me and Steph he began complaining that he never got any peace and quiet around the house. He went in the kitchen and came out with a drink. I think he was drunk already, by the way he was acting. I went upstairs to put Stephanie down, and when I came back to the living room, he was mad. He began to threaten me. Then he left the house, saying that he needed to have some fun and be treated right. When he came back, he started beating me and screaming that he wasn't going to let me treat him that way and that I'd be sorry. He started to go for his gun, but staggered and fell down. He was pretty drunk. He said he was going to lie down. Then he turned and said to me, "I'll teach you a lesson you'll never forget." Then he made a gun

with his fingers and pretended to shoot me. He said, "Bang. You're dead. D-E-A-D. You and the two brats."

I was terrified. I knew that when we got up he would kill us. He almost did the last time. I had hidden his gun, because I was afraid he'd try to kill me. The phone was still locked, so I pried the lock off with a screwdriver and called Alex, but what could (she)(he) do? I knew George would kill me. I only had one choice to save my life and my children's lives, so I took his gun and killed him.

By the time I got to the police station, I was terribly confused and upset. It's true I signed the confession Detective Palmer wrote up, but I was so upset I could barely even understand it. He didn't ask me anything about how George treated me, and I didn't say anything about it. After I spoke to my lawyer, I realized how important it is. The statement I'm making now is the actual way it happened.

Martha Monroe

Witness Statement of Fran Nilva, M.D., Director, Emergency Medical Services, Washington Hospital Center:

I have worked in the Emergency Room at Washington Hospital Center for the past three and one half years. Over that time I have seen Martha Monroe personally six times. In addition, I have examined her hospital records, which indicate that she has been seen at the hospital emergency room an additional five times.

All her visits to the hospital have been because of physical injuries she has suffered. I am not an expert on battering or battered woman syndrome, but I can tell you that her injuries seem to have been consistent with having been severely beaten and abused, even though she always claimed that she either fell, or bumped against something in the dark, or was in some other kind of accident. We can't know for sure.

We see a lot of that kind of thing in the emergency room, and when we suspect a beating, we try to convince the woman to speak to a counselor or the police. Obviously, we can't insist on that, and when the woman refuses, as Mrs. Monroe has always done, there is little we can do. We are not able to file a complaint ourselves, as we would be in a case of child abuse. The decision has to be the woman's. I have personally tried to persuade Mrs. Monroe to get help, but she always denied that there was a problem.

This pattern of denial is something we see quite often. Women who come into the hospital with bruises rarely admit that their husbands or boyfriends are battering them, so her behavior was not at all unusual, although she did agree that one time to speak to the police.

The last time I saw Mrs. Monroe, June 12, she had been beaten very severely, and I told her that she was lucky to be alive. There was evidence of her having been choked, and she told me that she had actually passed out, which means that she was suffering from oxygen deprivation. There were bruises all over her body, including her face, and she had a broken rib. This was clearly the worst I had seen - nothing before struck me as life-threatening, but this time, I thought she could have died.

That time she agreed to see a police officer. I sent for the officer, and went to look after some other patients. The officer told me that when she arrived, Mrs. Monroe denied having asked to see her, and stated that she did not need any help, that she had been injured falling off a step ladder.

Fran Nilva

Witness Statement of Dr. Pat Bergen, expert on battered woman syndrome:

I am Executive Director of the National Center for Women's studies, specializing in the issue of abused and battered women. I have a Ph.D. in Psychology from Georgetown University, where I teach courses in the Psychology of Women in the graduate and medical schools. I have been involved in studying, writing and lecturing about battered women since the mid-seventies.

My responsibilities at the Center include directing the research and counseling programs for battered women, and training staff to work with battered women. I write and speak across the country to advocate that the law should take battered women syndrome into account in cases like this. I also provide paid consultation and expert testimony services to defendants such as Martha Monroe - my fee is $1500.

I have studied the records of this case, and conducted a one-hour examination of the defendant, Martha Monroe, about one month after her husband died. In my opinion, she is suffering from battered woman syndrome. This syndrome is part of a pattern of behavior which includes constant, severe physical and emotional abuse by a man against his wife or girlfriend. The abuse usually gets worse and worse as time goes by.

This abuse takes many forms, both physical and emotional. There is actual beating, choking, burning, and sometimes restraining and locking the woman up. Many times the husband will apologize after a beating and promise never to do it again, but the beatings always continue.

Over a period of time, the constant abuse can lead to a condition known as "learned helplessness". In such cases, the battered women become convinced that they are unable to change or improve their situation. They can't figure out why they are being beaten, or how to stop it. They see themselves as having no control or choice in their own lives. When people try to change their lives, or to have an effect on people in their lives, and are defeated again and again, they begin to believe that they are helpless. This leads to distortions in their perceptions and behavior. For example a battered woman might try to figure out what actions of hers were causing the battering - over a period of time, the battering continues, and the woman learns that she is unable to control it, or prevent it or avoid it. She just stops trying.

Learned helplessness is the result of the beatings, the isolation that men force on the women, financial dependence, and fear that if they leave, the men will find them and abuse them more severely.

The question comes up then, why do women stay with men who beat them? Statistics show that between 80 and 90 percent of abused women neither leave the abusive relationship nor make it end. This is a very complex question, but we are beginning to understand something about it. Some women want to believe the promises their husbands make because of the commitment they have made to the relationship. Others are under intense familial or religious pressures to stay with their

husbands. And of course learned helplessness makes it impossible for a woman suffering from Battered Woman Syndrome to see the choices that are available to her. It's important to realize that women suffering from Battered Woman Syndrome are unable to see the options in a situation the way other people do.

Other researchers have focussed on the more concrete reasons that battered women feel they cannot leave violent relationships. These include economic dependence, difficulty of finding shelter or a means of support, and fear of losing children through custody fights. Reasons like these could lead a woman to seek ways to ensure her survival within a relationship rather than try to leave it.

Martha Monroe exhibited all the characteristics of Battered Woman Syndrome. She was certainly abused over a long period of time. She had come to perceive herself as helpless. This was the result of the isolation George had forced on her, the fact that she would not have been able to take care of herself and her children financially, and the fear of retaliation if she tried to leave.

Mrs. Monroe thought for a time that her battering would stop. She tried to make it stop and failed. She tried to leave, but the shelter was available to her for only three days, and she didn't want to go to the other shelter. She was completely dependent on her husband for support, although my immediate impression of her is that she is an intelligent woman who should be able to make her own living after getting some training. After she returned home (which is typical of battered women who leave) it became clear that the abuse was going to continue and she became less and less able to deal with it rationally. She felt unable to tell the police. She was incapable of seeing the choices available to her.

In my opinion, Mrs. Monroe was definitely suffering from battered woman syndrome. When she was faced with her husband's actions on June 17, the syndrome led her to shoot him, because at that time she had a reasonable belief that her life was in immediate danger.

Pat Bergen, Ph.D.

METROPOLITAN POLICE DEPARTMENT

Waiver of Rights

NAME OF PERSON IN CUSTODY MARTHA MONROE

PLACE OF INTERROGATION METROPOLITAN POLICE STATION

TIME OF INTERROGATION 12:15 a.m., June 18, 1987

THIS IS TO BE READ, IN FULL, BY THE OFFICER

At this time it is my duty to inform you of the rights you possess during questioning. Under law, you cannot be compelled to answer, and you have the right to refuse to answer any question asked of you. If you do answer such questions, the answers given by you can be used against you in a trial in a court of law at some later date. Do you understand this?

ANSWER (to be recorded in suspect's own words) yes

You are also entitled to talk to a lawyer before answering any questions and to have him present in the event that you decide to answer questions. This means that if you have a lawyer of your own and desire to talk with him or her, or to have him or her present, you may telephone or otherwise contact him or her before answering any questions. If you do not have the money to hire a lowyer, you are entitled to have a lawyer appointed without cost to talk with you, before answering any questions, and to have him present in the event that you desire to answer any questions. Do you understand this?

ANSWER yes

You can decide at any time not to answer any questions or make any statements. Do you understand this?

ANSWER yes

Knowing these rights, are you willing to answer questions without the presence of a lawyer or do you refuse to answer any questions?

ANSWER I'll answer the questions

VOLUNTARY STATEMENT

My name is Martha Monroe. I live at 1799 Lamont Street, N.W., Washington, D.C. 20010. I am 23 years old.

I have been married for five years to George Monroe. We have two children, Jonathan, age four, and Stephanie, age two.

On the evening of June 17, 1986, I was home, preparing dinner for my children and waiting for my husband George to come home. Jonathan had come home from school early that day with a fever and a cold. I put him to bed and sat up watching T.V. with Stephanie on my lap. George came home around 9:15. He was drunk, as usual, and started complaining about the house, and dinner was cold and everything. He was yelling about everything, so loud that he started the baby crying, and that woke up Jonathan, who started to cry also.

I tried to calm George down, and give him his supper, but he said he wasn't hungry and that he couldn't eat what I had cooked, and that he was going to sleep, but that when he woke up, he was going to straighten me and the kids out. It took me almost an hour to get the kids back into bed. When I finally finished, I was exhausted and mad that I had to put up with so much from him. I decided that I couldn't go through it anymore; I knew that when he woke up he would be mad as hell, and start yelling at me and wake the kids up and everything, so I went upstairs to talk to him.

When I saw him lying on the bed asleep, I got furious. He gets everybody riled up, and then he goes to sleep. I'm the one that has to handle everything in the house, with the kids and all, and he just messes things up and then takes a nap. I got furious. I realized that he was never going to change, and that the best thing to do would be to end it.

I went to the cabinet where I had hidden the gun the night before, and took it out. It was already loaded. I went back into the bedroom, took another look at him and shot him three times in the back. Then I called 911.

Martha Monroe

WASHINGTON HOSPITAL CENTER Emergency Medical Services

DATE	SYMPTOMS/DIAGNOSIS	TREATMENT/COMMENTS	SIG.
5/8/86	Bruises on left side of body — cuts + abrasions	Cleaned + dressed wounds	FN
8/12/86	Pains + bruises on chest — x ray indicates Fractured Ribs — No other Injuries	taped ribs — pain medication — Possible Beating referred to counselor	FN
12/30/86	left wrist severe sprain — joint swelling — No Fracture	Taped Wrist + Elbow — provided sling — Patient Reports accident — injury is inconsistent with explanation. Referred to Counselor for Battered Women	4N
2/15/87	bruises, lacerations, scratches, nose bleed	tetanus shot, x-rays, cleaned + dressed wounds - patient	4N
		Occurr denies being beaten.	
6/1/87	Patient complains of accidental burns on left arm and torso - caused by immersion in scalding water.	1st + 2d degree burns treated Cleaned + dressed wounds. Prescribed pain medication	4N
6/12/87	Bruises on neck, patient complains of passing out — pain in chest area, general bruising on face + body —	Patient has been severely beaten. Patient denies injuries result of beating — referred to battered wife counselor. Possible internal injuries due to lack of oxygen; broken rib; cleaned + dressed wounds, taped ribs.	7N